

DEPARTMENT OF THE INTERIOR DEPARTMENTAL MANUAL

Aviation Management

Part 352 Aviation Safety

Chapter 6 Aircraft Mishap Notification, Investigation and Reporting

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Chapter 6 Aircraft Mishap Notification, Investigation and Reporting

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6.1 Purpose. This chapter establishes policy, responsibilities and procedures governing the notification, investigation and reporting of aircraft mishaps occurring during Interior aviation activities. Additionally, this chapter establishes the Department of the Interior Aircraft Mishap Review Board, responsible for the development of aviation safety recommendations. For details of the policies outlined in this chapter, refer to the "Aircraft Mishap Notification, Investigation and Reporting Handbook."

6.2 Authority. The investigation of aircraft mishaps by the Office of Aircraft Services is accomplished under authority established in Departmental Manual 112 DM 12, "Office of Aircraft Services;" 29 CFR 1960, "Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters;" Executive Order 12196, "Occupational Safety and Health for Federal Employees;" 485 DM Series, "Interior Safety and Environmental Health Management Program;" and Federal Property Management Regulation Part 101, Subchapter G, "Aviation Transportation, and Motor Vehicles."

6.3 Policy. In an effort to prevent future aircraft mishaps, it is the policy of the Department of the Interior to investigate all DOI aircraft mishaps using one of the following investigation procedures.

A. On-site investigations will be conducted whenever possible for all fatal aircraft accidents, other selected aircraft accidents, and selected incidents with potential.

B. Limited investigations will be conducted for selected aircraft accidents and selected incidents with potential. A limited investigation will not normally include a visit to the accident site.

C. Administrative investigations will be conducted for reports of conditions observances, acts, maintenance problems, or circumstances which may have the potential to cause an aircraft mishap.

6.4 Applicability. Provisions established herein are applicable for all aircraft owned, operated by, or under the jurisdiction of the Department of the Interior. Included are those aircraft contracted, leased, or operated under the provisions of a Basic Ordering Agreement (BOA), as well as for aircraft owned by Departmental employees when operated on official business. Aircraft mishap reports cannot be used in lieu of reports prescribed in 451 DM 1 and 485 DM 5.

6.5 Aircraft Mishap Notification. Mishap notification procedures are located in the "Aircraft Mishap Notification, Investigation and Reporting Handbook."

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6.6 Aircraft Mishap On-site Investigations. The OAS Director has the responsibility and authority to conduct DOI aircraft mishap investigations. OAS aircraft mishap investigation activities shall be given priority over all other investigations of the same mishap except for National Transportation Safety Board (NTSB) investigations. The OAS Aviation Safety Manager will be responsible for coordinating all DOI investigations with the NTSB and will serve as the DOI point of contact for NTSB aircraft mishap investigations.

A. ~~Investigator-In-Charge (IIC).~~ The OAS Aviation Safety Manager will designate a DOI IIC. The DOI IIC organizes, conducts, and controls the DOI investigation. The DOI IIC shall assume responsibility for the supervision and coordination of all resources and the activities of all DOI personnel involved in the investigation. When the NTSB IIC is conducting an on-site investigation, the DOI IIC will assume a secondary role and, whenever possible, will serve as the DOI party to the NTSB investigation, fully assisting the NTSB IIC.

B. ~~DOI Investigation Team.~~ The DOI IIC will select DOI investigation team members based on the complexities of the mishap. Bureaus should designate a bureau representative team member to work under the direction of the DOI IIC. To ensure an impartial investigation, no member will have a personal interest in the mishap.

C. ~~Bureau Responsibilities.~~ The bureau shall designate an on-site liaison to coordinate with the DOI IIC. Support shall be provided to the DOI Investigation Team as deemed essential by the DOI IIC. Additional bureau responsibilities are listed in the "Aircraft Mishap Notification, Investigation and Reporting Handbook."

D. ~~Vendor Responsibilities.~~ The vendor of an aircraft involved in a mishap or selected incident with potential, occurring in support of Interior aviation activities shall secure all appropriate operator records, reports, internal documents, and memoranda dealing with the aircraft and employee(s) involved in the mishap. Such support shall be addressed in the appropriate Basic Ordering Agreement (BOA) or other contractual agreements as appropriate.

E. ~~Other Government Agency Investigations.~~

(1) P.L. 103-411 assigns responsibility to the NTSB for investigating or causing to be investigated all public aircraft accidents. DOI will fully cooperate and assist the NTSB. Additionally, the OAS Director will

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ensure a DOI investigation is conducted for the purpose of accident prevention. The extent of the DOI investigation will depend on the extent (on-site, limited, etc.) of NTSB investigation.

(2) Where other Government agencies have operational control or jurisdiction over the investigation of an aircraft mishap or incident with potential where DOI personnel or interests are involved, the OAS Director will designate a qualified Investigator to represent DOI. Other DOI bureau personnel may attend the non-DOI investigation as bureau liaison but shall not serve as a party to the investigation. This responsibility rests solely with the OAS Director.

(3) When extensive cooperative aviation activities are involved (e.g., USDA-Forest Service) an interagency agreement for the joint investigation of aircraft mishaps shall be completed.

F. ~~Military Aircraft.~~ The military forces have authority and control over their aircraft in the event of an accident. Close coordination between OAS, the NTSB, and the military authority involved is essential when a joint investigation is required. All correspondence relating to DOI involvement in the accident shall be addressed to the OAS Director.

6.7 Investigation Files. An aircraft mishap investigation file will be created for all DOI on-site and limited investigations. The DOI Mishap File will include information of interest to DOI that may not be addressed in the NTSB aircraft accident report. Following receipt of the NTSB aircraft accident investigation report, the OAS Director will forward the NTSB report and the OAS Mishap File through the Chief Executive Officer of the Interior Service Center to the Director of the bureau experiencing the mishap.

6.8 Limited Use of Mishap File.

A. **General.** Mishap File information is ~~privileged~~ in that it shall be used only for mishap prevention purposes. It shall not be used for any other purpose. For example, the Mishap File shall not be used:

(1) In making any determination affecting the interest of an individual making a statement involved in a mishap.

(2) As evidence or to obtain evidence in determining the misconduct of agency personnel.

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- (3) As evidence to determine the disciplinary responsibility of agency personnel.
- (4) As evidence to assert affirmative claims on behalf of the Government.
- (5) As evidence to determine the liability of the Government for property damage, injuries, or death.
- (6) As evidence before administrative bodies.
- (7) In any other punitive or administrative action taken by agencies of the United States, including airman or maintenance certification enforcement proceedings.

B. Investigator Release of Information. Investigators, including all parties to the investigation, shall not make public their own opinions, conclusions, or recommendations in their capacity as a mishap investigator. Information received as a result of participation in a NTSB investigation shall be handled in accordance with NTSB instructions.

6.9 Use of Investigative Files and Reports. When requested by the head of a parallel DOI investigation group, facts relating to the mishap may be released. Privacy information and confidential witness statements shall be withheld. While the mishap facts are provided to preclude unnecessary duplication of on-site investigation efforts, the parallel investigation group must reach its own conclusions pertaining to personal liability and fault.

6.10 Information Disclosure. The OAS Aviation Safety Office is the Custodian of Record for Interior mishap information. Release of information regarding accident prevention and investigation shall be subject to the provisions of the Freedom of Information Act, as amended, and the Privacy Act of 1974. All requests for copies of OAS aircraft mishap files shall be referred to the OAS Aviation Safety Office for action. All requests for copies of NTSB aircraft accident reports shall be referred to the NTSB.

6.11 Interior Aircraft Mishap Review Board. An Interior Aircraft Mishap Review Board (AMRB) is responsible for developing mishap prevention recommendations for all Interior accidents and selected incidents with potential. Specific responsibilities, functions and procedures are listed in the "Aircraft Mishap Investigation and Reporting Handbook."